

AMENDED IN SENATE JUNE 11, 2012
AMENDED IN SENATE FEBRUARY 9, 2012
AMENDED IN SENATE SEPTEMBER 1, 2011
AMENDED IN ASSEMBLY APRIL 25, 2011
AMENDED IN ASSEMBLY APRIL 14, 2011
AMENDED IN ASSEMBLY MARCH 31, 2011
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1275

Introduced by Assembly Member Torres

February 18, 2011

An act to add Section 6256 to the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1275, as amended, Torres. California Public Records Act: exemption: emergency 911 telephone calls.

The California Public Records Act requires state and local agencies to make public records available for inspection, subject to specified criteria, and with specified exceptions. The Warren-911-Emergency-Assistance Act provides a statewide system for the use of “911” as the primary emergency telephone number.

This bill would prohibit a state or local agency from disclosing any portion of a 911 emergency telephone call providing medical or personal identifying information. *This bill would require a public agency to disclose a recording of a 911 emergency telephone call to certain individuals under specified conditions.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6256 is added to the Government Code,
2 to read:
3 6256. ~~Notwithstanding—~~(a) *For purposes of this section, the*
4 *following terms have the following meanings:*
5 (1) *“Personal information” means any information that is*
6 *maintained by an agency that identifies or describes an individual,*
7 *including, but not limited to, his or her name, social security*
8 *number, physical description, home address, home telephone*
9 *number, education, financial matters, and medical or employment*
10 *history. It includes statements made by, or attributed to, the*
11 *individual.*
12 (2) *“Medical information” means any health information that*
13 *is protected from disclosure by the federal Health Insurance*
14 *Portability and Accountability Act of 1996 (Public Law 104-191),*
15 *and any regulations adopted pursuant to that act.*
16 (b) *Notwithstanding any other law, and except as provided in*
17 *subdivision (c), a public agency shall not disclose any portion of*
18 *a recording of a 911 emergency telephone call providing medical*
19 *or personal identifying information.*
20 (c) *A public agency shall disclosure a 911 emergency telephone*
21 *call to any of the following:*
22 (1) *A court.*
23 (2) *A law enforcement agency.*
24 (3) *A district attorney, public defender, or appointed or private*
25 *counsel representing a defendant in a criminal action.*
26 (4) *An attorney in a civil action that demonstrates to a court*
27 *the need for the recording of the 911 emergency telephone call, if*
28 *the disclosure is made pursuant to a subpoena.*
29 (5) *An attorney investigating facts related to a potential civil*
30 *action that demonstrates to a court the need for the 911 emergency*
31 *telephone call, if the disclosure is made pursuant to a subpoena.*
32 (6) *The caller whose voice was recorded on the 911 emergency*
33 *telephone call.*

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